

NEWS

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Rhode Island Man Convicted for Threatening A United States District Judge

(More)

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CAMDEN – A Rhode Island man was convicted by a federal jury today for threatening to murder a United States District Judge, who sits in Camden, U.S. Attorney Christopher J. Christie announced.

After 2 hours of deliberations, which began today, a jury convicted Arthur D’Amario, 54, of Providence, R.I., and Green Valley, Ariz., of a one-count Indictment that charges he threatened to assault, kidnap, and murder a United States judge, with the intent to impede, intimidate and interfere with a judge engaged in the performance of official duties and with intent to retaliate against such judge on account of the performance of official duties.

U.S. District Judge Paul S. Diamond, of the Eastern District of Pennsylvania, who presided over the trial, remanded D’Amario into the custody of the U.S. Marshals Service. Judge Diamond has not yet scheduled sentencing.

During the trial, the jury heard the testimony of 6 government witnesses and viewed numerous pieces of evidence regarding a threatening document, dated Jan. 13, 2006, that the defendant sent to Senior Judge Joseph E. Irenas.

In convicting the defendant, the jury found that after Judge Irenas presided over a trial in which D’Amario was convicted in Dec. 2001 for threatening another U.S. District Judge, D’Amario mailed a legal document that contained threats to the Office of the Clerk of the Court in Camden.

According to trial evidence, Judge Irenas presided over a trial in which the defendant was convicted of threatening U.S. District Judge Joseph A. DiClerico, Jr., of the District of New Hampshire, who sat in designation in the District of Rhode Island, due to the recusal of the three active members of the District of Rhode Island bench. Judge DiClerico had presided over a trial in which a federal jury found D’Amario guilty of being a previously convicted felon in possession of a firearm. Judge Irenas sentenced D’Amario to a prison term of 30 months and a three-year period of supervised release for threatening Judge DiClerico.

D’Amario’s document included statements that he is violent, dangerous, schizophrenic and determined to get a gun. It also included warnings that he would not serve probation; he will not take orders from federal judges and probation officers; and that he passionately hates N.J. judges, according to the evidence and testimony.

Assistant U.S. Attorney Ronald Chillemi told the jury in his closing argument that the threats to Judge Irenas were to make him feel unsafe and in turn order the defendant to serve his maximum sentence, which would have caused D’Amario to serve approximately one more month in federal prison, but would have allowed him to avoid serving his three years of supervised release.

The jury found that the nature of D’Amario’s threat was to murder Judge Irenas, as opposed to threatening to assault. Therefore, the charge to which the defendant was convicted carries a maximum statutory sentence of 10 years in prison and a fine of up to \$250,000.

In determining an actual sentence, Judge Diamond will consult the advisory U.S. Sentencing Guidelines, which provide appropriate sentencing ranges that take into account the severity and characteristics of the offense, the defendant's criminal history, if any, and other factors. The judge, however, is not bound by those guidelines in determining a sentence.

Parole has been abolished in the federal system. Defendants who are given custodial terms must serve nearly all that time.

Christie credited Special Agents of the FBI's Trenton Resident Agency, under the direction Special Agent in Charge Leslie G. Wiser, Jr., in Newark, with the investigation leading to the Indictment.

The Government is represented by Assistant U.S. Attorney Ronald Chillemi of the Criminal Division in Camden.

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Defense Attorney: Ralph Jacobs, Esq. Haddonfield